

REMARKS

Claim 1 was rejected under Section 102 based on Domon. The cited reference never says anything about frame rates. However, the video sources (1) through 25 (4) are programs on different channels. See the reference at paragraphs 34 and 42. Thus, there is certainly no reason to believe, and every reason to presume, that the programs on different channels are at the same frame rate.

Frame rate is the number of frames displayed per second. See Whatis.com definition attached. Frame rates have nothing to do with how much or how little the data is compressed. Since the data is decompressed before display, by definition compression ratios and the resulting bit rate differences make no difference in frame rate since the frame rate is the display rate and the display occurs after decompression, removing any remnants of the compression ratio or the transmission bit rate.

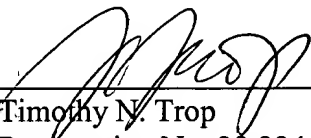
The office action does indicate that two of the streams are at different frame rates. But the numbers referred to (in the first paragraph on page 3 of the office action) are not frame rates but, instead, are compression ratios. In the system described, for example in paragraph 43, there are two different encoders 29 which use different compression rates. Thus, the two signals may have identical frame rates but be compressed at different compression ratios.

In paragraph 45, the resulting compression ratios are described as having different bit rates in the packet sequences. But a bit rate is not the same as a frame rate. There are established frame rates for different types of video. The frame rate has nothing to do with compression. It has to do with the number of frames per unit of time within a particular format of video.

In view of these remarks, the application should now be in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

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In motion pictures, television, and in computer video displays, the frame rate is the number of frames or images that are projected or displayed per second. Frame rates are used in synchronizing audio and pictures, whether film, television, or video. In motion pictures and television, the frame rates are standardized by the Society of Motion Picture and Television Editors (SMPTE). SMPTE Time Code frame rates of 24, 25 and 30 frames per second are common, each having uses in different portions of the industry. The professional frame rate for motion pictures is 24 frames per second and, for television, 30 frames per second (in the U.S.).

In computer video streams, the frame rate describes playback rates for AVI and QuickTime movies. The video playback rate for an AVI or QuickTime movie directly relates to the perceived smoothness of its playback. The higher the number of frames playing per second, the smoother the video playback appears to the user. Lower rates result in a choppy playback. (As a reference point, film uses 24 frames per second to allow the viewer to perceive smooth playback.) Several factors affect the actual frame rate you get on your computer. For example, your PC processor or graphics hardware may only be capable of playing 10-15 frames per second without acceleration.

In developing motion pictures, television, and video, frame rate information is used as a reference for audio signals. The recorded signal includes information about location in time using a 24-hour clock, and individual frame numbers. This signal is used to synchronize multiple audio and video machines during the recording and editing process. Using a master synchronizing device, the operator can issue location commands from a central machine and have all slaved machine follow the master.

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